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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,390	10/22/2001	Rajdeep Kalgutkar	57091US002	1082
32692	7590	03/15/2005	EXAMINER	
3M INNOVATIVE PROPERTIES COMPANY PO BOX 33427 ST. PAUL, MN 55133-3427			WONG, LESLIE	
			ART UNIT	PAPER NUMBER
			2167	

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/014,390

Applicant(s)

KALGUTKAR ET AL.

Examiner

Leslie Wong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 May 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-4 and 13 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/DSes.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Election was made with traverse of Group II, claims 5-12 is acknowledged. Group I, claims 1-4 and Group III, claim 13, are withdrawn from further consideration by the examiner, 37 CFR 1.142(b) as being drawn to a non-elected.
2. Applicants argue that the Restriction Requirement is improper and request reconsideration and withdrawal of the Restriction Requirement. Applicants' arguments have been fully considered but they are not persuasive. Examiner submits that Group I is directed to storing components in a database which is classified in class 707. Group II is directed to optimizing the performance of a light curing polymer system which is classified in class 156. Group I acquired a separate status in the art as shown by its different classification. These inventions are distinct for the reasons given above and the search required for Group I is not required for the other Groups. As a result, the restriction for examination purposes as indicated is proper.

### ***Information Disclosure Statement***

2. Applicants' Information Disclosure Statements, filed 21 March 2002, 16 April 2002, 12 April 2004, and 03 August 2004, have been received, entered into the record, and considered. See attached form PTO-1449.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 5-12 are rejected under 35 U.S.C. 102(e) as being anticipated by **Lackritz et al.** ("Lackritz") (US 2001/0031122 A1).

Regarding claim 5, **Lackritz** teaches a method of optimizing the performance of a light curing polymer system including multiple component types, the component types including a light source, a photoinitiator and a substrate, where the light source is arranged to radiate its light through the substrate to the photoinitiator, the light source operating at a set of wavelengths, the substrate allowing only a set of wavelengths of light to pass there through and the photoinitiators only activated when it is hit with a set of wavelengths (§s 0004, 0007, 0008, 0069), the method of optimizing including the steps of:

- a). selecting a first component, said first component operating at first set of wavelengths defining a first wavelength spectrum (§s 0007, 0039);
- b). selecting a second component from of a type different than the type of the first component, the second component operating at a second set of wavelengths and having a second wavelength spectrum, at least one of said second set of wavelengths being present in said first set of wavelengths (§s 0038, 0040).

Regarding claims 6 and 7, **Lackritz** further teaches wherein wavelength regions are established and a representative name is assigned to each wavelength region (¶s 0007, 0008, and 0042, 0052; Fig. 3).

Regarding claim 8, **Lackritz** further teaches wherein said representative names of the selected first component are compared to the representative names of the plurality of second components so that only a second component having at least one representative name in common with the selected first component can be chosen (¶s 0034, 0053, and 0056).

Regarding claim 9, **Lackritz** further teaches selecting a third component different than the first or second component from a plurality of possible third components, the third component operating at a third set of wavelengths and having a third wavelength spectrum, at least one of said third set of wavelengths being present in said third set of wavelengths (¶s 0034, 0053, and 0057).

Regarding claim 10, **Lackritz** teaches method of comparing characteristics of components of a light curing polymer system where a light source is directed through the substrate to the photoinitiator, the light source operating at a first range of wavelengths, the substrate allowing only a second range of wavelengths of light to pass there through and the photoinitiator only being activated when it is irradiated with a third

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range of wavelengths (§s 0004, 0007, 0008, 0069), the method of comparing including the steps of:

- a). storing the characteristics of the constituent in memory, the characteristics including name and wavelength response (§s 0007, 0008, 0056);
- b). selecting a first component (§s 0039 and 0056);
- c). selecting a second component (§s 0048 and 0056);
- d). graphically displaying on the same display, the name and wavelength response of the first component and the second component (§ 0039 and Figs 2a-2e and Fig. 3).

Regarding claims 11-12, **Lackritz** further teaches determining an area of an overlapping region of the wavelength responses of the first and second components (§ 0094).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Esser et al. (US 20020102475 A1)

Kondo et al. (US 20050053862 A1)

Ohkuma et al. (US 4948694 A)

Kataoka et al. (US 4451551 A)

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie Wong whose telephone number is (571) 272-4120. The examiner can normally be reached on Monday to Friday 9:30am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Leslie Wong  
Patent Examiner  
Art Unit 2167

LW  
March 11, 2005